

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Scott R. Tokanel

v.

Civil No. 09-cv-409-JL

State of New Hampshire

ORDER

I herewith approve the Report and Recommendation of Magistrate Judge Muirhead dated January 7, 2010, no objection having been filed. Additionally, finding that the petitioner has failed to make a substantial showing of the denial of a constitutional right, the court declines to issue a certificate of appealability. See 28 U.S.C. § 2253(c)(2); Rule 11, Rules Governing Habeas Corpus Cases Under Section 2254; First Cir. LR 22.0.

SO ORDERED.

January 26, 2010



Joseph N. Laplante
United States District Judge

cc: Scott R. Tokanel, pro se